

PATENTS
Attorney Docket No. 23164-1001

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Victoria L. Boyd
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Date

#12
JRP
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Tovey :

Application No: 08/853,870

: Group Art Unit: 1614

Filed: May 9, 1997

: Examiner: Goldberg, J.

Title: Therapeutic Applications of High Dose Interferon

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT PURSUANT TO 37 CFR §1.116

Responsive to the Office Action mailed January 6, 1999, Applicant hereby requests reconsideration in light of the following remarks.

REMARKS

Claims 6, 13 and 17-33 are pending. The present invention is directed to the use of ultra-high doses of interferon to treat a neoplastic condition sensitive to interferon. Neither of the cited prior art references addresses the use of high dose interferon to treat a neoplastic condition.

Rejection under 35 USC §103 of claims 17-20

Claims 17-20 stand rejected under 35 USC §103(a) as being unpatentable over Samo et al. Samo allegedly teaches a dose of 40×10^6 units of interferon and, thus, provides the motivation to make the claimed composition. Applicant respectfully disagrees.